

# **Town Board Minutes**

## **Meeting No. 33**

### **Regular Meeting**

**September 20, 2004**

# **Town Board Minutes**

September 20, 2004

Meeting No. 33

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 20th day of September 2004 at 8:00 P.M. and there were

**PRESENT:** MARK MONTOUR, COUNCIL MEMBER  
RONALD RUFFINO, COUNCIL MEMBER  
DONNA STEMPIAK, COUNCIL MEMBER  
ROBERT GIZA, SUPERVISOR

**ABSENT:** DANIEL AMATURA, COUNCIL MEMBER

**ALSO PRESENT:** JOHANNA COLEMAN, TOWN CLERK  
ROBERT LABENSKI, TOWN ENGINEER  
RICHARD SHERWOOD, TOWN ATTORNEY  
LEONARD CAMPISANO, ASSISTANT BUILDING INSPECTOR  
GARY STOLDT, CHIEF OF POLICE  
CHRISTINE FUSCO, ASSESSOR  
TERRENCE McCracken, GENERAL CREW CHIEF  
RICHARD REESE JR., HIGHWAY SUPERINTENDENT

## **PERSONS ADDRESSING TOWN BOARD:**

**Beutler, Daniel**, 26 Tyler Street, spoke to the Town Board on the following matters:

- Inquired about the application procedure for the Social Work Counselor grant for the Town of Lancaster and Lancaster Central School.
- Questions about assessment revaluation.

**Chowanec, Lee**, 93 Northwood Drive, spoke to the Town Board on the following matters:

- Is pleased about the map of Lancaster that will be mailed to all residents.
- Asked questions about the detention pond at the site of the new Kohl's Department Store on Transit Road.

**Symer, Donald**, 610 Columbia Avenue, spoke to the Town Board on the following matters:

- Request to see the sizing calculations for detention basins.
- Questioned if the Lancaster Airport is privately owned.

**PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:**

At 8:30 P.M., the Town Board held a Public Hearing to hear all interested persons upon an application for a Special Use Permit by Cingular Wireless to construct a communication tower situate at 933 Ransom Road.

The affidavits of publication of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME	ADDRESS	Proponent/ Opponent/ Comments/Questions
None		

ON MOTION BY COUNCIL MEMBER RUFFINO, AND SECONDED BY COUNCIL MEMBER MONTOUR, FOR ADJOURNMENT OF THE PUBLIC HEARING, which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

The Public Hearing was adjourned at 8:30 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter.

September 20, 2004

**PUBLIC HEARING SCHEDULED FOR 8:35 P.M.:**

At 8:35 P.M., the Town Board held a Public Hearing to hear all interested persons upon an application for a Special Use Permit for a home occupation on premises located at 255 Peppermint Road.

The affidavits of publication of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME	ADDRESS	Proponent/ Opponent/ Comments/Questions
Jim Laughlin	163 Peppermint Road	Opponent
David Hawk, the petitioner	255 Peppermint Road	Proponent

ON MOTION BY COUNCIL MEMBER STEMPNIAK, AND SECONDED BY COUNCIL MEMBER RUFFINO, FOR ADJOURNMENT OF THE PUBLIC HEARING, which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

The Public Hearing was adjourned at 8:46 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

**PUBLIC HEARING SCHEDULED FOR 8:40 P.M.:**

At 8:46 P.M., the Town Board held a Public Hearing to hear all interested persons upon an application for a Special Use Permit for a home occupation on premises located 29 Biscayne Drive.

The affidavits of publication of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME	ADDRESS	Proponent/ Opponent/ Comments/Questions
Dan Beutler	26 Tyler Street	Questions
Eric Weisenburg, the petitioner	29 Biscayne Drive	Proponent

ON MOTION BY COUNCIL MEMBER RUFFINO, AND SECONDED BY COUNCIL MEMBER STEMPNIAK, FOR ADJOURNMENT OF THE PUBLIC HEARING, which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

The Public Hearing was adjourned at 9:01 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter.

September 20, 2004

**PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPNIAK, TO WIT:

**RESOLVED**, that the minutes of the Joint Meeting of the Town Board and the Planning Board held September 7, 2004 and the Regular Meeting of the Town Board held September 7, 2004 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 20, 2004

File: RMIN (P2)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER RUFFINO, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**WHEREAS**, the developer has requested the Town Board of the Town of Lancaster accept completed Public Improvements within Indian Pine Village Subdivision, Phase I & Phase II within the Town of Lancaster, and

**WHEREAS**, the Town Engineer has inspected the improvements and has recommended the approval thereof, and

**WHEREAS**, the Town Attorney, by letter to the Town Clerk dated September 15, 2004 has reported his favorable review of all necessary deeds, easements and documents required to be filed for the acceptance of these public improvements.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following completed Public Improvements within Indian Pine Village Subdivision, Phase I & Phase II be and are hereby approved and accepted by the Town Board of the Town of Lancaster:

P.I.P. No. 128 - Detention Basin

P.I.P. No. 263 - Detention Basin

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 20, 2004

File: RPIP (P13)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MONTOUR, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, the Town of Lancaster has heretofore established a joint Social Work Counselor Program with the Lancaster Central School District and desires to continue this program, and

**WHEREAS**, the Town Board has received assurance of participation in State funding by the New York State Office of Children and Family Services and the Lancaster Central School District,

**NOW, THEREFORE, BE IT**

**RESOLVED**, as follows:

1. That the Town Board of the Town of Lancaster hereby agrees to continue a joint program for a Social Work Counselor to work in the Town of Lancaster with Lancaster Central School children in response to a demonstrated need for such services in order to reduce juvenile delinquency, enhance educational and social opportunities for youth of the Town of Lancaster and to reduce the impact of drug use, truancy, vandalism and juvenile pregnancy, and otherwise reduce the impact of social pressures upon single-parent youth, for the period commencing July 1, 2004 and ending June 30, 2005, and

2. That funding for the program, at a total annual cost of approximately \$61,138, which includes \$42,275 for direct salary, and \$18,863 for contractual expenses and fringe benefits, for the period July 1, 2004 to June 30, 2005 shall be provided at \$3,885 or approximately nine percent (9%) of direct salary from the New York State Office of Children and Family Services; \$28,627 or approximately forty-five (45%) of direct salary, plus one half contractual expenses, and fringe benefit costs from the Town of Lancaster, to be drawn from the General Fund Account "Social Work Counselor Program", and \$28,626 or approximately 45% of direct salary plus one-half contractual expenses and fringe benefit costs, from the Lancaster Central School District, and

3. That the Supervisor be and hereby is authorized and directed to sign an Agreement to renew said program, said Agreement to be drawn by the Town Attorney, providing for participation in said program by the Town of Lancaster, the New York State Office of Children and Family Services and the Lancaster Central School District.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 20, 2004

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL  
MEMBER MONTOUR, TO WIT:

**WHEREAS**, the Town of Lancaster has installed one (1) street light with a  
50W High Pressure Sodium luminaire on William Street at Williamsburg Lane.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby accepts  
this street light in its lighting district and agrees to the following in accordance with its agreement  
with the New York State Gas & Electric Company:

1 - 50W High Pressure Sodium luminaire @ 36.93

**TOTAL INCREASE - \$36.93**

**BE IT FURTHER**

**RESOLVED**, that the Supervisor of the Town of Lancaster be and is hereby  
authorized to accept the annual increase for the above mentioned installation.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call  
which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 20, 2004

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER RUFFINO, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPNIAK, TO WIT:

**WHEREAS**, the developer has requested the Town Board of the Town of Lancaster accept completed Public Improvements within Windsor Ridge Subdivision, Phase V, Pt II within the Town of Lancaster, and

**WHEREAS**, the Town Engineer has inspected the improvements and has recommended the approval thereof, and

**WHEREAS**, the Town Attorney, by letter to the Town Clerk dated September 15, 2004 has reported his favorable review of all necessary deeds, easements and documents required to be filed for the acceptance of these public improvements.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following completed Public Improvements within Windsor Ridge Subdivision, Phase V, Pt II be and are hereby approved and accepted by the Town Board of the Town of Lancaster:

P.I.P. No. 580 - Pavement & Curbs  
P.I.P. No. 581 - Storm Sewers  
P.I.P. No. 582 - Waterline

and,

**BE IT FURTHER**

**RESOLVED**, that the Town Attorney is directed to attend to filing the deed causing the dedication of the road(s) to the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 20, 2004

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, the County of Erie Office of Geographic Information Services  
has invited municipalities within the County of Erie to join an internet mapping consortium, and

**WHEREAS**, the Town Board has reviewed the internet mapping service as  
proposed and after due consideration deems it appropriate for the Town to join this consortium  
which is at no cost to the Town with the right reserved to the Town to withdraw from the  
consortium upon sixty days notice;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby  
authorizes the Supervisor of the Town of Lancaster to direct a letter to the Director of the Office  
of Geographic Information Services for the County of Erie advising that the Town Board acted  
to approve the Town of Lancaster's membership in the Erie County internet mapping  
consortium.

The question of the foregoing resolution was duly put to a vote on roll call which  
resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 20, 2004

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**WHEREAS**, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50-Zoning - Section 17 (F) of the Code of the Town of Lancaster, upon the application of **DAVID HAWK**, for a Special Use Permit for a Home Occupation (small machine shop) on premises located at 255 Peppermint Road, Lancaster, New York, and

**WHEREAS**, persons for and against such Special Use Permit have had an opportunity to be heard;

**NOW THEREFORE, BE IT  
RESOLVED**, as follows:

1. That pursuant to Chapter 50-Zoning, Section 17 (F), entitled "Home Occupation", of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to **DAVID HAWK**, for a Home Occupation (small machine shop) on premises located at 255 Peppermint Road, Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance, and

2. That the applicant will continue in compliance with conditions as set forth in Chapter 50, Section F, of the Code of the Town of Lancaster as long as the applicant continues to engage in the home occupation on the premises, namely:

- a. Only persons residing on the premises shall be engaged in such an occupation;
- b. The home occupation shall be clearly incidental and subordinate to the use of the premises for residential purposes. The area devoted to the home occupation shall not exceed twenty-five percent (25%) of the ground floor area of the principal structure. It may be within the principal accessory structure;
- c. There shall be no change in the outside appearance of the building or premises or other visible evidence of the conduct of such home occupation;
- d. No equipment or process shall be used which creates noise, vibration, glare, fumes, odors or electrical interference perceptible to the normal senses off the lot;
- e. There shall be no outdoor sign advertising this business;
- f. This Special Use Permit terminates when the applicant no longer resides on the premises.

- g. This Special Use Permit will expire on September 20, 2006 and must be renewed by the applicant before such time. The Town Board of the Town of Lancaster will consider re-issuance of this Special Use Permit upon application by the property owner. There will be no additional Special Use Permit fee.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED NO
SUPERVISOR GIZA	VOTED YES

September 20, 2004

File: rspecialusehawkdavid904a

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL  
MEMBER STEMPNIAK, TO WIT:

**RESOLVED**, that the following Audited Claims be and are hereby ordered paid from  
their respective accounts as per abstract to be filed in the Office of the Town Clerk by the Director  
of Administration and Finance, to wit:

Claim No. 10918 to Claim No. 11159 Inclusive  
Total amount hereby authorized to be paid: \$435,938.40

The question of the foregoing resolution was duly put to a vote on roll call which  
resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 20, 2004

File: Reclaims

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**RESOLVED** that the following Building Permit applications be and are hereby reaffirmed:

**CODES:**

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived for this permit.

(CSW) = Conditional sidewalk waiver.

(V/L) = Village of Lancaster

**NEW PERMITS:**

12281	Schulze, Paul	192 Central Ave	Er. Fence	(V/L)
12282	Applebee's Restaurant	4967 Transit Rd	Alt. Comm. Bldg.	
12283	Kaz Brothers Const.	10 Daniel Dr	Er. Res. Add.	
12284	Sun Enterprises Inc	21 Ann Marie Dr	Er. Shed	
12285	Stachelski, Daniel	57 Stony Brook Dr	Er. Shed	
12286	Urguhart, Frederick	25 Maple Dr	Er. Shed	
12287 SW	Stoldt, Kevin	1062 Townline Rd	Er. Dwlg.-Sin.	
12288	Tucker Homes Inc	6 Heathrow Ct	Er. Dwlg.-Sin.	
12289	Pastwik, Mary	48 Irwinwood Rd	Er. Shed	(V/L)
12290 SW	Essex Homes of WNY	170 Ransom Rd	Er. Dwlg.-Sin.	
12291	Moeller Signs	5430 Broadway	Er. Sign-Wall	(V/L)
12292	Qaulity Aluminum	63 Fifth Ave	Er. Deck	(V/L)
12293	Forbes Homes Inc	1 Beatrix Cir	Er. Dwlg.-Sin.	
12294	Forbes Homes Inc	9 Beatrix Cir	Er. Dwlg.-Sin.	
12295	Mages, Jeffrey	9 Gordon Ave	Er. Shed	(V/L)
12296	Lancaster Home Improv.	9 Country Pl	Er. Res. Add.	
12297	Paradowski, Robert	55 Michael Anthony Ln	Er. Shed	
12298	DeGeorge Ceilings Inc	1 Candlestick Ct	Er. Deck	
12299	Duro-Shed Inc	133 Albert Dr	Er. Shed	(V/L)
12300	Fox, Douglas	40 Quail Run Ln	Er. Fence	
12301	Marrano/Marc Equity	10 Avian Way	Er. Dwlg.-Sin.	
12302	Glamour Pools	190 Enchanted Forest	Er. Fence	
12303	Glamour Pools	190 Enchanted Forest	Er. Pool-In Grnd	
12304	Rygg, Kevin	50 Running Brook Dr	Er. Shed	
12305	Children's Kastle	3966 Walden Ave	Er. Sign-Temp	
12306	Gibson Properties LLC	5915 Broadway	Er. Sign-Temp	
12307	Rotro Rooter Services	45 Richmond Ave	Inst. Plumbing	(V/L)
12308	Lorenz, Charles	22 Fox Trace	Er. Shed	
12309	Duro-Shed Inc	20 Pinetree Dr	Er. Shed	
12310	Hora Construction	190 Enchanted Forest	Er. Res. Add.	
12311	Custom Patio Homes	27 Kelly Ct	Er. Res. Add.	(V/L)

12312	Randaccio Builders	30 Beatrix Cir	Er. Dwlg.-Sin.	
12313	Kulback's Construction	1400 Commerce Pkwy	Er. Comm. Add.	(V/L)
12314	Patio Enclosures	7 Spring Way	Er. Res. Add.	
12315	Essex Homes of WNY	130 Peppermint Rd	Er. Dwlg.-Sin.	
12317	Bannochie, Jason	16 Broezel Ave	Er. Fence	(V/L)
12318	Forbes Homes Inc	5 Beatrix Cir	Er. Dwlg.-Sin.	
12319	Haag, Jeff	310 Eric St	Er. Res. Alt.	
12320	Duro-Shed Inc	601 Eric St	Er. Shed	

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 20, 2004

File: Rbldg2

## **SUSPENDED RESOLUTION:**

Supervisor Giza requested a suspension of the necessary rules for immediate consideration of the following resolution:

Council Member Ruffino moved to suspend the necessary rules for immediate consideration of the following resolution, seconded by Council Member Stempniak, which resulted as follows

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

## **SUSPENSION GRANTED**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, Lancaster Airport, Inc. has received grants from the Federal Aviation Administration to pay 95% of the allowable costs incurred in accomplishing the following projects for Buffalo-Lancaster Airport:

Acquire Land In Fee Simple Title for the Runway End 8 Runway Protection Zone;  
Perform Airport Master Plan Update - Phase II; and Construct a Nested 16-Unit T-Hangar Building,  
and

**WHEREAS**, the New York State Department of Transportation is offering a matching grant to the Federal grants for 50% of the non-Federal share of eligible costs, and

**WHEREAS**, the New York State Department of Transportation, under Section 14h of the State Transportation Law, requires privately owned reliever facilities to obtain local municipal support to receive New York State funding.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster endorses the above describes projects for the purpose of making the projects eligible for State funding, and

**BE IT FURTHER**

**RESOLVED**, that the adoption of this Resolution shall be solely for the purposes stated herein and in no way binds the Town Board, the Planning Board and/or the Zoning Board of Appeals of the Town of Lancaster to any approvals, permits and/or licenses which may be required by the applicant for future projects or work related to Buffalo-Lancaster Airport, and

**BE IT FURTHER**

**RESOLVED**, that it has heretofore been determined by the Town Board, under Part 617 of the State Environmental Quality Review Act (SEQR) of the State of New York, that the aforesaid projects to Acquire Land In Fee Simple Title for the Runway End 8 Runway Protection Zone; Perform Airport Master Plan Update - Phase II; and Construct a Nested 16 Unit T-Hangar Building, including basic data collection, research and engineering studies, constitutes a Type II Action which will not have a significant impact upon the environment. The Supervisor of the Town of Lancaster is hereby authorized to sign and date form DV-21-RI Agency Compliance Statements, as attached herewith, and

**BE IT FURTHER**

**RESOLVED**, that this resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	WAS ABSENT
COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 20, 2004

File: rbuffalolancasterairport904

## COMMUNICATIONS & REPORTS:

477 - 528. Depew/ Cheektowaga Taxpayers Association, Sharon L. Taylor, Rick Ingalsbe, Joseph Sledz, Mary Sledz, Paul Notaro, Amy Sofia, Gary Ronald, Shirley Smith, Dennis Smith Sr., Marita Ronald, Claudia Burczyk, Beverly Davis, Marcia Becker, Kenneth E. Eschberger, Paula Clarone, Frank Sofia, Mr. & Mrs. P. J. Addamo, Robert Smith, Joseph Augustyn, Todd Puccio, Mark Doherty, Robert Bahn, Joseph Thuman, Stephanie Lipiecki, Francis Urbanek, Lauren Lipiecki, James Lipiecki, Stanley J. Krzemien, Stanley F. Blacharski, Cynthia Olszewski, Dennis A. Gouch, Michael S. Battaglia, Beverly Mitri, Carmen Mitri, Sharon Hubert, Kenneth Hubert, Patricia & Anthony Suchyna, Michael Neely, John Walker, Joseph & Laura Szeffel, Michelle Neumaier, Angela Foti, Camilla Haniszewski, Cheryl LaForte, Linda LeBlanc, John Crinzi, Mary Alice Crinzi, Kevin M. Elis, Linda Aiken, Wojciech Kruszcwski, Gary & Denise Rotella, Anthony Marzullo, Stephanie Marzullo, Robert Whitney, Paul Taylor, Ruth Johnson to Town Board -

Comments and concerns regarding proposed Pleasant Meadows Subdivision.

DISPOSITION = Planning Committee

529. Town Clerk to Town Board -

Transmittal of monthly report for August 2004. DISPOSITION = Received & Filed

530 - 615. Florence Demke, Shirley J. Wahl, Lori Miller, James M. Miller, Martin Nemeth, Barbara Decaire, Jacqueline M. Spengler, Daniel Spengler, Joanna Wyzykowski, Anthony Holynski, Edward Zwifka, Kimberly Lazek, Frank Juke, Jennifer Jones, Janet & Harold Bennett, Anita Haefner, Karen P. Selbert, James D. Vriesen, Gary Tonge, Carol Grabinski, E. Peter & Yvonne Paoletti, Kevin Majchrowicz, Robert Payton, Michael Farkas, Mark Rogers, Norman W. Johnson, Vanessa L. Majchrowicz, Marilyn A. Ostrom, David Ostrom, Neal Hanes, Carol Hanes, S. H. Stafford, Thomas G. Stafford, Dennis F. Marsh, Lucille Marsh, Martin N. Galzynski, Claire Galzynski, David Sawyer, Ida Sawyer, Carol Klein, Thomas Nagowski, Brooke Nagowski, Michelle Marabelle, Betty Ann Bosworth, Resident at 76 Transit Blvd., Christine Kowalewski, Mary Smaczniak, Robert Smaczniak, Suzie Smaczniak, Peter Smaczniak, John Zaenglein, Janet Bellanti, Barbara Robinson, Roseanne Wukovits, Joseph Wukovits, Linda Sachs, Joyce Munn, William Lubey, Charlotte Srazia, Kelly Lubey, Clair Heitman, Joseph Ferrante Jr., Susan Radke, Robert Radke, Thomas Pomaski, Georgiana Klembczyk, Michael Ferrante, Lawrence Smaczniak, Barbara Smaczniak, Patrick McHenry, Patricia Skulski, Ed Skulski, Katherine Kehr, Herbert Kehr, Harold Asch, Bonnie Asch, Martin Murray, Steven Asher, Deborah Howell, Paula Bilski, Gary Howell, Charleen Pomaski, Robert Eberle, Janice Faleski, Barbara Bart, Rebecca White, Lee Chowaniec to Town Board -

Comments and concerns regarding proposed Pleasant Meadows Subdivision.

DISPOSITION = Planning Committee

616 - 657. Vaughn D. Bearer, Marjorie Rogacki, Edwin G. Schifferle, Albert Fuller, Mr. & Mrs. Richard A. Maines, Gwendolyn, Jake, Martin Schnieder, Mark Gore, Donald J. Jenkin, Richard & Arlene Kurek, Paul Meyerhofer, Philomena E. Stanko, Adele Sulzbach, Susan DiPaulo, Michael Vacanti, Anthony & Maureen Lorusso, Harry J. Schultz, Michael Vacanti, Michael Vacanti, Grace Metz, Allen Wierzbicki, Denise Hochul, Mark Norton, Brian Sheppard, Roy Sheppard, Ronald Szypajlo, Josephine Supple, Luann Myers, Dana Galski, Dennis Viscusi, Mr. & Mrs. Browne, Harold Hess, Emmylou Hess, Sandra Brown, James Wodowski, Connie Schmidt, Daniel Centinello, Dr. William Page Johnson, Christopher N. Hoffman, James J. Schihl & Carol Schihl, Wendy Centinello, V. Paoletta, William P. Bosse & Antoinette Bosse to Town Board -

Comments and concerns regarding proposed Pleasant Meadows Subdivision.

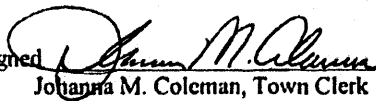
DISPOSITION = Planning Committee

- 658 - 720. Gail A. Sanders, Wayne Sanders, Cheryl R. Boling, Michaline M. Ladziak, Jacquelyn Gillings, Mr. & Mrs. Felix Szymanski, Moera E. Richard, William K. Richard, James Olek, Frank L. Pericozzi, Michele Staskiewicz, Daniel Curtis, Mark L. Molnar, Lisa & Jim Tobolski, Michael Hartman, Mark G. Schmitkons, Paul A. Missland, Richard Thomas, Mary Ann Piwko, Mr. & Mrs. Glen Imiola, Frank A. Mirande, Darryl Gies, Mary Perry, Bernard Perry, C. Renfro & C. Bujanowski, Robert W. Grabinski, Mrs. Michelle A. Elis, Mr. & Mrs. Thomas Gesicki, Daniel E. Beutler, Sandra Beutler, Michael Randall, Diane Randall, Jerome J. Kucharski, Bernard T. Jemiole, Laura Kabel, Michael Becker, Tony & Judy Lepkowski, M. Tomei & J. Snyder, Edwin Woznaik & Melania Woznaik, Anthony J. DeAngelis, Colleen Antonio, William E. Mancini, Lynda Trojanowsky, Janice Plucinski, Gary P. Johnson, Kimberly A. Mendola, Dawn Border, Bruce R. Meyer, Suzanne Meyer, Nicholas Tshulos, J. Kretzmon, David Heffler, Ellen Walker & Richard Walker, Anthony Suchyna, Kimberly Colby, Amy Taylor, Aaron Taylor, Jeremy Colby, Richard Zavarella, Rosalie Zavarella, Kevin Neumaier, Mr. & Mrs. Walter R. Koneski, Walters Family to Town Board -  
Comments and concerns regarding proposed Pleasant Meadows Subdivision.  
DISPOSITION = Planning Committee
721. Linda Miranda to Town Board -  
Request the Town Board authorize the State Liquor Authority to waive 30 day waiting period for a liquor license. DISPOSITION = Town Attorney
722. General Crew Chief to Planning Board Members, Council Members Montour, Ruffino, & Stempniak -  
Request a revised landscape plan from Architect for Harris Hill Nursing Facility addition.  
DISPOSITION = Planning Committee
723. Association of Erie County Governments to Town Board -  
Notice of meeting to be held September 23, 2004. DISPOSITION = Received & Filed
724. NYS Executive Department, Office of Real Property Services to Supervisor -  
Transmittal of 2005 Analysis schedule for preparation of assessment rolls and equalization rates. DISPOSITION = Received & Filed
- 725-778 Jeffrey Wiatrowski, Amy Swaine, Kenneth Griffin, Joan Pionessa, Richard DeBlasi, Judy Hoyden, Diane & Jim Trzaska, Krystal Centinello, Raymond Wienckowski, Lynette & Carl Grassl, Joseph Stachura, Laura Amato, Bettie Richardson, Hershel Richardson, Sheryl Dvorak, Catherine Lissfelt, Adrienne Hydock, 170 Pleasant View Drive, Edna Mann, Donald Mann, Kathleen Harrigan, John Harrigan, William Hojczyk, Marietta Hojczyk, Jodie Wiatrowski, Sharon Roll, Michelle Roll, Lisa Kilgore, Julie & Gregory Willard, Jennifer Eberth, Michael Richardson, Carolyn Atherton, Daniel Atherton, David Schuessler, Carolyn Schuessler, William & Marie Daniels, Karen Kumar, James Marshall, Lois Pirrone, Scott Zeiger, Rosanne Rosinski, Jeffrey Sikora, Robert Kolb, Anthony Galasso, Barbara Beilman, John Beilman, Michael Bielman, 18 Inwood Place, Carolyn Concannon, Sylvia Nowak, Daniel Bender, Diane Bender, Raymond & Constance Kropski to Town Board -  
Comments and concerns regarding proposed Pleasant Meadows Subdivision.  
DISPOSITION = Planning Committee
- 779 - 809. Donald G. Symer, P.E., 23 Whitestone Ln, Donald G. Symer, Ruth Evelyn Baxter, Mrs. Dorothy Peruzzi, Clarence Gaschwentner, Phillip & Joanne Schulte, David & Terri Schulte, Donna Schulte, Mary & Adam Trainer, 53 Meadowlea, Stephen & Ann Kolis, Oliver & Carol Steiner, Marie MacKay, Annette Cavallaro, Walt & Sue Szymanski, Elizabeth Nosbisch, Randy Perkins, 3 Hill Valley Dr., Ruth Stevenson, Mr. & Mrs. Richard Wurstner, 7 Trentwood Trail, Cheryl Pohle, 13 Stone Hedge Dr., Cynthia Brown, Barbara J. Tamol, Frank Sofia, 55 Sable Palm Dr., M. A. Schulte, Patricia M. Menzies, Mary Jane Zgoda to Town Board -  
Comments and concerns regarding proposed Pleasant Meadows Subdivision.  
DISPOSITION = Planning Committee
810. Town Engineer to Town Board -  
Recommend acceptance from the developer of two (2) detention basins in the Indian Pond development. DISPOSITION = Resolution 9/20/04
- 811 - 813. Theresa M. Eisenhauer, 135 Seneca Place, Constance O'Brien to Town Board -  
Comments and concerns regarding proposed Pleasant Meadows Subdivision.  
DISPOSITION = Planning Committee

814. Association of Towns of New York State to Supervisor -  
Update on lobbying effort to reverse court revenue legislation. DISPOSITION = Received & Filed
815. NYS Department of State to Town Clerk -  
Letter regarding annual reporting of possession of wild animals in local municipalities. DISPOSITION = Received & Filed
816. Safety Steering Committee to Town Board -  
Minutes of meeting held August 25, 2004. DISPOSITION = Received & Filed
817. Village of Lancaster to Town Board -  
Minutes of official meeting held August 23, 2004. DISPOSITION = Received & Filed
818. Village of Lancaster to Town Board -  
Minutes of official meeting held September 1, 2004. DISPOSITION = Received & Filed
819. Town Engineer to Town Board -  
Recommend acceptance of Public Improvements at Windsor Ridge Subdivision, Phase V, Part 2, specifically #581 - Storm Sewer, #580 - Pavement and Curb, and #582 - Waterline. DISPOSITION = Resolution 9/20/2004
820. Eileen Naab to Town Board -  
Comments and concerns regarding proposed Pleasant Meadows Subdivision. DISPOSITION = Planning Committee
821. Erie County Legislature to Town Board -  
Transmittal of original contract dated March 30, 2004 with Erie County for 2004 Public Benefit Funding. DISPOSITION = Received & Filed
822. Erie County Legislature to Town Board -  
Transmittal of original contract dated April 8, 2004 with Erie County for 2004 Public Benefit Funding. DISPOSITION = Received & Filed
823. Planning Board Chairman to Planning Board, Town Board, Town Engineer, Deputy Town Attorney, Building Inspector -  
Draft copy of Planning Board minutes of meeting held September 15, 2004. DISPOSITION = Received & Filed
824. Planning Board to Town Board -  
Recommend adjournment to October 6, 2004 Planning Board meeting of Site Plan review of two (2) Fourplex Residential Buildings, NS of Broadway at Village Line. DISPOSITION = Received & Filed
825. Erie County Department of Public Works to Town Board -  
Notice of Public Information Meeting to be held 7:00 P.M. on Thursday, September 30, 2004 at Town Hall regarding replacement of two (2) bridges on Pavement Road. DISPOSITION = Town Engineer & Highway Superintendent
826. Syracuse University to Supervisor -  
Invitation to attend Public Management and Finance Program to be held October 13-15, 2004 in Blue Mountain Lake, NY. DISPOSITION = Received & Filed
827. 20 Whitestone Lane to Town Board -  
Comments and concerns regarding proposed Pleasant Meadows Subdivision. DISPOSITION = Planning Committee

**ADJOURNMENT:**

**ON MOTION OF COUNCIL MEMBER MONTOUR, SECONDED BY COUNCIL MEMBER RUFFINO AND CARRIED, the meeting was adjourned at 9:11 P.M.**

Signed   
Johanna M. Coleman, Town Clerk